Constitutional Papers.

File. No 110

Draft Constitution of India
Prepared by Mr. Munshi

No date

Document No.38

1. DRAFT CONSTITUTION OF THE UNION OF INDIA

BY K.M. MUNSHI (D.No.188)

Preamble

The Constituent Assembly representing the Indian people and the territories of British India and such Indian States and territories associated with the Constituent Assembly seeking the welfare of a United and Independent Motherland vote and confirm this Constitution.

INDEX

Preamble

Part I - The Union of India

Chapter I - Union, its authority and territory

Article I: The Union of India

Article II: Sovereignty of the People

Article III: The territory of the Union.

Article IV: The authority of the Union.

Article V: Vesting of Authority.

Article VI: The Constitution as Supreme Law.

Article VII: Union guarantee to the States.

Part II - Citizens, their fundamental rights and duties.

Article VIII: Citizenship

Article IX: Right to Equality.

Article X: National Language.

Article XI: Rights to Freedom.

Article XII: The Rights to Religious and Cultural freedom.

Article XIII: Rights of workers.

Article XIV: Right to education.

Article XV: Social Rights and duties.

Article XVI: Special Rights.

Article XVII: Right to Constitutional remedies.

Article XVIII: Exemptions and Qualifications.

Chapter II - Executive.

Article XIX: Supreme Authority of the Union.

Article XX: President.

Article XXI: Vice-Presidents.

Article XXII: President in Council.

Article XXIII: The Council of Ministers.

Article XXIV: Impeachment.

CHApter III - The Legislature of the Union.

Article XXV: The Legislature.

Article XXVI: The State's House.

Article XXVII: The People's House.

Article XXVIII: Temporary Union Legislature.

Article XXIX: Meeting and Dissolution of the Union Legislature.

Chapter IV - Legislative Power of the Union.

Article XXX: General Legislative Powers.

Article XXXI: Defence

Article XXXII: External Relations

Article XXXIII: Communications.

Article XXXIV: Finance

Article XXXV: Area, Property Contracts and Suits.

Article XXXVI: Grave Emergency

Article XXXVII: Disallowance of State Legislation.

Chapter V: Union Judiciary

Article XXVIII: The Supreme Court.

Article XXXIX: High Courts as Union Courts.

Article XL: Judges of the Supreme Court.

Chapter VI: Union and Inter-State Relations

Article XLI: Relation between States

Article XLII: Inter-State Commerce

Article XLIII: Inter-State Co-operation.

Article XLIV: Concurrent Legislative Powers.

Chapter VII: Excluded Areas.

Article: XLV: Excluded Areas

Chapter VIII: Execution of Union Powers.

Article XLVI

Chapter IX: Services

Article XLVII: Defence Services

Article XLVIII: Civil Service

Article XLIX: Public Service Commission

Chapter X:

Article: Amendment.

Chapter XI: Indo-British Treaty

Chapter XII: Transitory Provisions.

Schedule A.

Schedule B.

Schedule C.

Schedule D.

Schedule E.

Schedule F.

Schedule G.

Schedule H.

Schedule I.

Schedule J.

Schedule K.

PART I

CHAPTER: THE UNION, ITS AUTHORITY AND TERRITORY

Article I: The Union of India.

The Union of India is a democratic sovereign Republic.

Article II: Sovereignty of the People.

All Powers of government and all authority, executive, legislative and judicial, are derived from the sovereign people of India and the same shall be exercised in the Union and the States and the rights, interests and liberties of the people served and secured through, the organs established by, under, or in accord with this Constitution.

Article III: The Territory of the Union

(1) The territory of the Union comprise all the territories in India which were subject to the rights, authority, jurisdiction belonging to His Brittanic Majesty in 1946 and all other territories which are admitted to the the Union thereafter or are declared to be the territories which are admitted to the Union thereafter or declared to be the territories of the Union by the President in Council.

(2) In particular, and without prejudice to the generality of the foregoing, the territories of the Union shall be -

(a) the Provinces under the Government of India Act, 1935 referred to in Schedule A and hereinafter referred to as State;

(b) Indian States under the Government of India Act, 1935 and referred to in Shhedule B;

(c) Excluded Areas under the said Act referred to in Schedule C;

(d) Other areas in respect of which the Union has the power to make all laws, referred to as the Union area; and

(e) Territories of States which may be admitted into the Union under Article.

(f) Other territories as may be brought under the authority of the Union.

(3) "India" shall mean the territories of the "Union of India".

Article IV: The Authority of the Union

The Union is possessed of all rights, authority and jurisdiction of a sovereign State over all the strain of land, sea and air appertaining to it and consistently with the practice of civilized nations.

Article V: Vesting of Authority

All rights, authority and jurisdiction which heretofore belonged to His Brittanic Majesty as Emperor of India, and which appertain or are incidental to the government of the territories in India heretofore - vested in him and all rights, authority and jurisdiction exercisable by him or in relation to any other territory in India shall vest in and be exercisable by the Union.

Article VI: The Constitution as Supreme Law.

This Constitution shall be the Supreme Law of the Union and of the States and all Laws, decrees and orders of any authority whatsoever as are inconsistent therewith are ultra vires of this Constitution and shall have no ~~fmm~~ effect.

Article VII: Union guaranteesto the States.

The Union guarantees the defence and territorial integrity of each State and subject to this Constitution, undertakes to assist each State in the maintenance of public order and in all respects in a grave emergency.

(a) Nothing in this Constitution shall prevent adjustment of boundaries between the States or the division of a State into two or more States and the Union Legislature may amend this Constitution to provide for such adjustment or division.

(b) Nothing in this Constitution shall prevent the introduction or extension of self-government by the Union to an Excluded Are or to a State admitted into the Union.

PART II

CITIZENS, THEIR FUNDAMENTAL RIGHTS AND DUTIES.

Article:VIII: Citizenship

(1) All persons born in India and persons born of Indian parents abroad, and all other persons who have acquired Indian nationality are Indian nationals and citizens both of the Union and the States.

Provided that persons who are citizens of, or domiciled in, another State not a member of the Union either of their own will and/or by acceptance of the Law of such a State shall not be citizens of the Union.

(2) Nationality is acquired and terminated by the Law of the Union.

(3) Unless otherwise expressly qualified by this Constitution all the citizens of the Union are under and by virtue of this Constitution equally entitled to all the rights and subject to all the duties described in this Chapter throughout the territories of the Union.

(4) In this Chapter 'right' includes 'power' 'privilege' or 'immunity' and the right to enforce the same according to the remedies mentioned in this Chapter or otherwise, 'duty' includes liability and obligation, and words importing masculine gender only include the femenine gender.

(5) Fundamental rights and duties shall mean the rights and duties under the Chapter of this Constitution.

Article IX: Right to Equality

(1) All citizen are equal before the law and are entitled to the same rights and are subject to the same duties and to the equal protection of the law.

(2) All citizens are entitled to equal opportunities in all spheres, political, econimic, social and cultural.

(3) Women citiznes are the equal of men citizens in all spheres of political, economic, social and cultural life and are entitled to the same civil rights and are subject to the same civil duties unless where exception is made in such rights or duties by the law of the Union on account of sex.

(4) Untouchability is abolished and the practice thereof is punishable by law of . . .

(5) All citizens are entitled to equal opportunity -

(a) in matters of public employment and office of power and honour;

(b) in the exercise of trade, profession or calling; and

(c) in the exercise of franchise according to the law of the Union.

(6) All citizens of the Union have the right to reside in any part of the territories of the Union that they choose, to settle there, acquire property and pursuse any means of lawful occupation, subject only to the law of the Union.

(7) Every citizen has the right to emigrate to countries outside the Union subject only to the law of the Union.

(8) All citizens within and without the territories of the Union are entitled to a foreign government for trial or punishment.

Article X: National Language

(1) Hindusthani, including Hindi or Urdu shall be the national language of the Union written at the choice of a citizen in the Nagari or Persian characters.

(2) It shall be competent to the Union by law to declare that all official or educational medium in any State or a part thereof shall be Hindusthani in addition to any other language.

Article XI: Rights to Freedom

(1) Every citizen in accordance with and subject to the law of the Union has -

(a) the right of free expression of opinion.

(b) the right of free association and combination; and

(c) the right to assemble peacefully and without arms;

(d) the right to personal liberty;

(e) the right to be informed within twenty-four hours of his deprivation of liberty by what authority and on what grounds he is being so deprived;

(f) the right to the inviolability of his house;

(g) the right to the privacy of his correspondence;

(h) the right to maintain his person secure by the law of the Union from exploitation in any manner contrary to law or public morality.

(2) The Press shall be free subject to such restriction imposed by the law of the Union as in its opinion may be necessary in the interest of public order or morality or to meet a grave emergency.

(3) The conduct of research and/or the publication of the results thereof shall be free subject to the restrictions imposed by the law of the Union.

Article XII: <u>The Right to Religious and Cultural Freedom.</u>

(1) All citizens are equally entitled to freedom of conscience and to the right freely to profess and practice his religion subject to the law of the Union and public morality.

(2) All citizens are entitled to cultural freedom, to the use of their mother tongue and the script thereof, and to adopt, study or use any other language and script of his choice.

(3) Citizens belonging to national minorities in a State whether based on religion or language have equal rights with other citizens in forming, controlling and administering at their own expense

charitable, religious and social institutions, schools and other educational establishment with the free use of their language and practice of their religion.

(4) No person may be compelled to pay taxes the proceeds of which are specifically appropriated in payment of purely religious requirements of any community of which he is not a member.

(5) Religious instruction shall not be compulsory for a member of a community which does not profess such religion.

(6) No person under the age of eighteen shall be free to change his religious persuasion without the permission of his parent or guardian.

(7) Conversion from one religion to another brought about be coercion, undue influence or the offering of material inducements is prohibited and is punishable by the law of the Union.

(8) It shall be the duty of every State to provide, in the public educational system in towns and districts in which a considerable proportion of citizens of other than the language of the State are residents, adequate facilities for ensuring that in the primary schools the instruction shall be given to the children of such citizens through the medium of their own language. Nothing in this clause shall be deemed to prevent the State from making the teaching of either variety of Hindusthani obligatory in the said schools.

(9) No legislation providing State aid for schools shall discriminate against schools under the management of minorities whether based on religion or language.

(10) Monuments of artistic or historic interest or places of natural interest throughout the Union are guaranteed immunity from spoliation, destruction, removal, disposal or export except under a law of the Union and shall be preserved and maintained according to the Law of the Union.

(11) The President may disallow any law which is contrary to the provisions of this article.

Article XIII: Rights of Workers.

(1) All workers industrial, or otherwise, are entitled to be secured to them by suitable legislation and economic organisation and in other ways, work, living wage, condition of work necessary to ensure decent standard of life and full enjoyment of leisure and social and cultural opportunities.

(2)0 Workers are entitled to be protected by legislation providing for insurance against the consequence of sickness, old age employment and disablement.

(3) All forms of slavery and serfdom and forced labour, other than those imposed as a penalty by judicial decrees, are abolished and, if enforced, are punishable by law.

(4) Women workers shall be entitled to be protected by legislation in regard to industries unsuited to them and in respect of maternity benefits.

(5) Child labour in all forms is prohibited and any employment of children for any purpose whatever shall not be permitted except under conditions prescribed by the law of the Union.

(6) Every producer of a work of intellectual, industry, art or discovery shall have a property therein, unless he has been specially employed on such work for remuneration.

Article XIV: Right to Education

(1) Every ~~xxx~~ citizen is entitled to have free primary education and it shall be legally incubent on every State of the Union to introduce free and compulsory primary education upto the age of 14 years and in the case of adults upto the standard of literacy.

(2) The duration, limits and method of primary education shall be fixed by law.

(3) Every citizen is entitled to have facilities provided for learning the national language in the variant and script of his choice.

Article XV: Social Rights and Duties

(1) Usury is prohibited.

(2) (a) Every person is entitled to compensation for wrongful or ultra vires acts of of officers of the Union or States or Local Governments.

(b) The Union, the State or the local Government shall be jointly liable with the Officer concerned.

(c) Previous authorisation for pursuing any legal remedy for such compensation shall not be prescribed.

(d) The Union, by law, shall prescribed the regulation of this right.

(3) The right to property is guaranteed by this Constitution to all citizens, corporations and bodies, social, economic and religious and propriation for public reasons only shall be permitted upon conditions determined by law and in return for adequate consideration determined according to principles previously laid down by it.

(4) No marriage valid according to the law of the Union or a State, shall be dissolved unless permitted by the law of the Union or the law of the State concerned and in accordance with the forms and under the conditions of the State concerned.

Article XVI: Special Rights.

(1) No punishment may be inflicted for any act unless the act was designated as punishable before it was committed.

(2) No person shall be tried for the same offence more than once and he shall not be compelled in any criminal case to be a witness against himself; nor shall the burden of proving his innocence be thrown on him.

(3) No civil or criminal court shall, in adjudicating any matter or executing any order, recognise any custom or usage imposing any civil disability on any person on the ground of his caste or status.

(4) (a) Notwithstanding any custom or usage or prescription, all Hindus without any distinction of caste or denomination shall have right of access to and worship in all public Hindu temples, choultries, dharmashalas, bathing ghats, and other religious places.

(b) Rules of personal purity and conduct prescribed for admission to and worship in these religious places shall in no way discriminate against or impose any disability on any person on the ground that he belongs to an impure or inferior caste or menial class.

Article XVII: Right to Constitutional Remedies

(1) Every citizen has the fundamental right, in addition to his right, by himself or a representative, to move the courts of the Union for the issue of a writ of right.

(2) The following are the Writs of right viz:

(a) The Writ of Person (Habeas Corpus) to secure the release of any person in the territories of the Union from unlawful or unjustifiable detention in prison or private custody.

(b) The Writ of Enforcement (Mandamus) to secure the performance of any specific act by a State, an Officer,

a corporation, in discharge of a definite public duty, obligation or requirement with which he is specifically charged by the Constitution or any other law for the time being; Provided that no writ shall be issued against the President or the Head of any State or any Minister of the Union or a State personally or against any Court of Law.

Provided further that no Wirt shall be issued unless the applicant has no other specific and adequate legal remedy.

(c) The Writ of Prohibition prohibiting any court other than the Supreme Court, or a person or body vested with judicial functions from continuing proceedings in contravention of this Constitution or in excess of the jurisdiction vested in it by the Constitution.

(d) Writ of Direction (Certiorari) directing any judge other than a judge of the Supreme Court or a person or body vested with judicial functions to transmit the record of proceedings pending before him or it and involving a question of law arising on an interpretation thereof for the purpose of quashing the proceeding or referring them to the appropriate tribunal.

(3) A Writ of Constitution may be issued at the instance of the Advocate-General of the Union or of a State or any person duly authorised

in order to safeguard one or more citizens in the free exercise of fundamental rights or to enforce performance of a fundamental duty under this Constitution or to have any Act or legislation declared ultra vires of the Constitution.

(4) A final appeal shall lie to the Supreme Court from any decision given by a Court in proceedings initiated by the Writs.

(5) The Union Legislature shall prescribe by law the jurisdiction of Courts, procedure, and all other incidental matters in respect of the Constitutional remedies under this Article.

Article XVIII: Exemption and Qualifications.

(1) No person may refuse on the ground of religious opinion, to fulfil any duties of citizenship, fundamental or otherwise.

(2) Nothing in this chapter shall be invoked to prohibit, control or interfere with any act of the Union authorities during the existence of a State of War, armed rebellion or with the provisions of any law of the Union Legislature passed to meet a grave emergency.

(3) The Union Legislature by law shall be entitled to determine to what extent certain fundamental rights shall be restricted or abrogated for the members of the armed forces or forces charged with the maintenance of public order to ensure the fulfilment of their duties and the maintenance of discipline.

CHAPTER II

THE EXECUTIVE

Article XIX: Supreme Authority of the Union.

(1) The President and the Legislature constitute the supreme authority of the Union.

(2) The Supreme authority of the Union exercises all the rights, powers, authorities and jurisdiction vested in the Union according to this Constitution and the laws made thereunder, either directly or indirectly through the States or the organs created by it and responsible to it.

(3) The rights, powers, and jurisdiction of the Union shall be expressed as being exercised in the name of the President of the Union herein referred to as the President.

Article XX: President

(1) On the proclamation of the Union, the Constituent Assembly shall appoint a person to be Acting President.

(2) As soon as may be after the first meeting of the Union Parliament and thereafter as soon as may be after the Office of the President falls vacant, the President of the Union shall be elected in accordance with the Constitution and the law of the Union in that behalf.

(3) The President shall be elected by Universal adult franchise of citizens from among those nominated by the Assemblies of not less than four States.

(4) Before he assumes office, the President shall take the following oath or affirmation before the Chief Justice of India:

"I do solemnly swear (or affirm) that I will faithfully execute the Office of the President of the Union of India, and will to the best of my ability preserve, protect and defend the Constitution of the Union of India."

(5) The President shall hold office for five years but resign by a message addressed to both Houses of Parliament but is eligible to seek re-election for the consecutive term of office.

(6) During this term of Office the President shall not hold any other salaried office, nor be a member of either House of a Legislature of the Union or a State nor connected with the management of a profit-making concern, as director or otherwise.

(7) In the event of the Office of President falling vacant or the President being unable to any by reason of illness, absence from India, or otherwise, the Senior Vice-President shall be the Acting President, and in this Constitution a reference to 'President' means the President of the Union or the Acting President.

(8) The President in his discretion shall exercise the power -

(a) of appointing or dismissing ministers on the advice of the Prime Minister of India;

(b) of exercising clemency;

(c) of accrediting personal representatives abroad;

(d) of fixing the limit of the civil list, allowances and expenditure for himself and the Vice-Presidents;

(e) of vetoing but for not more than four weeks any Bill of the Union Legislature or reserving for a similar period an Act or any act of the Head of a State in order to enable the President in Council to consider the same.

(f) of referring to the Supreme Court for opinion any question of law of general public importance in the Union or relating to the interpretation of this Constitution or for defining the nature and scope of any fundamental right of duty.

(9) Unless otherwise provided for, the powers of the President under this Constitution shall be exercised by the President on the advice of the Council of Ministers.

Article XXI: Vice-Presidents

(1) There shall be ten Vice-Presidents of the Union of whom two shall be hereditary Rulers of Indian States, two shall be Hindus, two Muslims, one Sikh , one Indian Christian, one Anglo-Indian and one parsi.

(2) Two Vice-Presidents shall be elected from among the hereditary Rulers in the territories of India.

(3) (a) Eight Vice-Presidents shall be elected by the two Houses of Parliament in a joint session by P.R. by single transferable vote from persons nominated by the Legislatures of the States in accordance with the law of the Union.

(b) In such elections the members of the two Houses of Parliament representing each State shall vote as one Unit.

(c) Two of the Vice-Presidents, to be determined by lot, shall retire every year, and their vacancy filled up in the manner aforesaid.

(4) The President shall from time ~~xtimx~~ to time nominate one of the Vice-Presidents to be the Senior Vice-President, who, till another Senior Vice-President is nominated, shall be the President's deputy.

(5) Any or all Vice-Presidents shall perform such functions as may be entrusted to him or them by the President.

(6) A person appointed as a Vice-President is a member of any Legislature, shall ~~xxpsx~~ ipso facto cease to be such member.

Article XXII: President in Council.

(1) The President's Council shall consist of the President, the Vice-President, the Prime Minister and the ~~Hxxxx~~ Minister of the Interior and the Ministers for Defence, Foreign Affairs and Finance and for Justice and the Advocate-General for the time being.

(2) The following powers shall be exercisable by the President only with the aid of his council.

(a) Giving of assent to Bills of the Union Legislature;

(b) Issuing Decrees and Orders of the President;

(c) Authorising the affixing of the Seal of the Union;

(d) Convening, proroguing and dissolving the House of the people;

(e) Protecting the fundamental rights of the citizens under the Constitution;

(f) Safeguarding the rights of the minorities under the Constitution;

(g) Ratifying treaties and allowances with foreign countries;

(h) Exercising veto over the Acts of the Legislatures of States or the Heads of the States which are ultra vires of the Constitution;

(i) Referring back Bills for re-consideration or amendment;

(j) Appointing ambassadors, consuls, and representatives to foreign Countries;

(k) Issuing decrees and orders when the Parliament is not in session or in a grave emergency;

(l) Taking action in a grave emergency, when there is a threatened break-down of the machinery of Government;

(m) save as otherwise expressly provided exercising the powers of disallowance given by the Constitution.

(3) The President, and in his absence, the Senior Vice-president, and in their absence, the Senior in time of the Vice-Presidents, shall preside over the Council.

(4) Where the action proposed to be taken by the President in Council is inconsistent with the expressed wishes of the House of the People, it shall not be taken unless approved by not less than six mmmbers of the Council and with the knowledge of the President and the Prime Minister and the consent of both or either of them.

Article XXIII: <u>The Council of Ministers</u>.

(1) When the Office of Prime Minister is vacant, the President may, in his discretion, appoint such persom from among the members of the People's House to be Prime Minister as he thinks fit.

(2) The Prime Minister may resign by writing addressed to the President, and he may be dismissed by the President (who shall act in his discretion) if a resolution requesting the President so to do has been passed by the People's House.

(3) Other Ministers shall be appointed by the President at the request of the Prime Minister, and such of these Ministers as the Prime Minister indicates shall be members of the Council of Ministers, of which the Prime Minister shall be Chairman.

(4) The Ministers shall be, or within six months after appointment shall become, members of the one or the other House of the Union Legislature.

(5) The Council of Ministers is, unless otherwise expressed in the Constitution, the Executive organ

of the Union and shall be responsible to the Legislature of the Union and shall be removable only, by a direct vote of the People's House duly recorded.

(6) The Council of Ministers shall include Ministers in charge of Defence, Foreign Affairs, Communication, Finance and Interior.

(7) The responsibility of the Council of Ministers shall be joint.

Article XXIV: Impeachment.

(1) The President may be impeached by resolution adopted by two-third majority of members of both Houses sitting together for an offence against the Union, bribery or any other high crime and misdemeanour.

(2) On such a resolution being passed and pending the trial, the President shall cease to function as such; and his powers, duties, and functions shall be exercised and performed by the Senior in time of the Vice-Presidents.

(3) On impeachment, the President shall be tried by a Grand Tribunal consisting of the Speaker of the People's House, the President of the State's House and four Judges of the Supreme Court selected by lot from among all the Judges and the Chief Justice of India, who shall preside over the Tribunal; and he shall not be convicted without the concurrence of five out of seven members of the Grand Tribunal.

(4) A Vice-President, a Minister of the Union, the Head of a State and a Minister of a State

and any civil officer of the Union may be impeached for offences against the Union, gross misconduct or neglect in the discharge of his duties, or any other high crime and misdemeanour by the Advocate-General of India on a Writ of Impeachment obtained from a bench of the Supreme Court consisting of not less than three Judges.

(5) A person impeached on a Writ of Impeachment shall, pending his trial, cease to exercise or perform his powers, duties and functions.

(6) A person so impeached shall be tried by a special Tribunal consisting of the Chief Justice of India and two Judges of the Supreme Court.

(7) When a person is convicted on impeachment under Section 3 or 6 of this Article, the Tribunal shall be entitled to impose such sentence and penalty as may be prescribed by the law of the Union for the offences for which the person tried is found guilty and such persons shall stand removed from office.

(8) Offences against the Union shall include:-

(a) waging war against the Union;

(b) helping or inviting any person, group or State to wage war against the Union or to subvert this Constitution;

(c) subverting or attempting to subvert this Constitution by himself or in combination of others or abetting such an Offence.

CHAPTER III

Article XXV: The Legislature

The Legislative power of the Union shall be vested in the President and the Chambers to be known respectively as the House of the States (referred to as the State's House) and the House of the people (referred to as the People's House).

Article XXVI: The State's House

(1) The State's House shall consist of members representing States and interests and elected in the manner provided by the Electoral Law of the Union as follows:

(a)	Each State ..	6 members
(b)	Universities, tradex Unions, Scientific Organizations, Art and Cultural Organization, Women's Organisations and other Organisations described in Schedule D. . .	20 members
(c)	Minorities in the manner prescribed in Schedule E.	20 members
(d)	Hereditary Rules in the manner prescribed in Schedule E.	5 members
(e)	Nominated members	5 members

(2) Immediately after the members of the State's House are assembled they shall be divided by lots in three classes. The seats of the first class shall be vacated at the expiration of the second year; of the second class at the expiration of the

fourth year; of the third class at the expiration of the sixth year; and the persons so elected shall hold office for 6 years so that one-third may be chosen every second year.

(3) The State's House shall be presided over by a President elected from among its members. He shall continue to hold office for a term equal to the terms for which he continues to be a member without a fresh election, but shall be eligible for re-election.

Article XXVII: <u>The People's House</u>

(1) The People's House shall be composed of members elected by the people of the Union.

(2) The number of members elected from each State shall be in proportion to the number of citizens within the State and until the Union Legislature otherwise provides each State shall have one member for every 10,00,000 Union citizens in the rural areas and one member to every 2,00,000 citizens in the urban and one additional member for every 2,00,000 for a City, the population of which exceeds 2,50,000:

Provided that a State shall have at least as many members in the people's House as it has in the State's House.

(3) For the purposes of the election to the People's House, every State shall be divided into Rural and Urban areas, a Rural Area comprising all areas exclusive of towns and cities with a population exceeding 10,000.

(4) Every Rural Area shall elect Panchas in the ratio approximately of one to 100 of the population of the area on the basis of universal adult (18 years)suffrage.

(5) The Panchas elected as foresaid in the rural areas and the adult citizens exercising direct universal adult (18 years) franchise in the urban area shall elect members to the People's House.

(6) Subject to the foregoing provisions the Union Legislature shall have exclusive power to determine by Electoral Law the qualification of members of the People's House, the constituencies for the election of members to that House and the method of election.

Provided that no citizen shall be disqualified from standing as a candidate for either Chamber by reason of his place of residence or domicile.

Provided further that every city with a population of not less than 2,50,000 shall be a constituency by itself.

(7) The People's House shall be presided over by a Speaker elected from among its members. He shall continue to hold office till the House is dissolved, but shall be eligible for re-election.

Article XXVIII: <u>Temporary Union Legislature</u>

(1) Until the State's House and the People's House come into existence, the Constituent Assembly shall act and shall be deemed to act as a Single Chamber, and with the Acting President appointed under this Constitution from the Union Legislature.

Provided that the termporary Union Legislature shall cease to function after eighteen months of the Proclamation of the Union.

(2) The Temporary Union Legislature shall enact the Electoral Law under which the first elections to the Chambers of the Union Legislature will be held under this Constitution.

Article XXIX: Meeting and Dissolution of the Union Legislature.

(1) The first meeting of the Union Legislature shall be held as soon as may be after the Proclamation of the Union, on a date to be fixed by proclamation issued by the President.

(2) The Union Legislature may be dissolved by proclamation issued by the President, and such proclamation shall order new elections and shall fix a date for the first meeting of the new Legislature. The President shall not issue a proclamation under this section except at the request of the Council of Ministers but he may in his discretion and subject to section 3 of this Article, refuse to issue such a proclamation.

(3) Such a proclamation must be issued before the expirty of five years from the date of the first meeting of the Legislature being dissolved:

Provided that the Union Legislature may prolong this period for one year and no longer.

(4) Where a State accedes to the Union after the establishment of the Union, the President shall as soon as may be by proclamation order elections in that State for members of both Houses in accordance with the Electoral Law of the Union.

(5) Casual vacancies in either House shall be notified to that House by the President and shall be filled in the manner provided by this Constitution for the election of members to that House and by the Electoral Law of the Union.

(6) Each House may determine the rules of its proceedings, punish its members for disorderly behaviour, and with the concurrence of two-third of the whole number of its members expel a member. On the expulation of a member, his seat shall become vacant.

(7) The President in Council may dissolve one or more Houses -

(a) at the request of the Council of Ministers;

(b) when it is considered desirable to obtain a vote of confidence in the Legislature or the People's House as the case may be or a verdict on a Legislation which is of far reaching importance.

(8) No member of the State's House or the people's House, shall during the time for which he is elected, be appointed to any civil office under the Union, which shall have been increased during such time; and no person holding any office under the Union shall be a member of either House during his continuance in Office.

(9) All members of the State's House and the People's House, shall in cases except offences against the Union and offences involving violence be privileged from arrest during their attendance at the session of their respective Houses, and in going to or returning from the same; and for any speech or debate etc., in either House they shall not be proceeded against in any proceeding whatsoever.

CHAPTER IV

LEGISLATIVE POWER OF THE UNION.

Article XXX: General Legislative Powers.

(1) The Union Legislature shall have exclusive power to make laws -

(a) for Defence, Foreign Affairs, Communcations and withour prejudice to the generality of subjects, for the subjects included in Schedule G.

(b) for all matters which under this Constitution are to be provided expressly or implicitly by the law of the Union.

(c) for matters as may be necessary and proper for carrying into execution the objects and powers of the Union under or in respect of this Constitution, of the Union Legislature, or other Union Authority, Organ or Officer, including the subjects mentioned in Schedule H.

(d) for matters referred to the Union Legislature or Legislatures of the State or States, but so that the law shall extend only to States by whose Legislature the matter is referred or which afterwards adopt the laws.

(e) for raising finances which are in the opinion of the Union Legislature necessary and proper for the discharge of its objects, powers and duties, and the exercise of its rights, authority and jurisdiction under or by virtue of this Office, and without prejudice to the generality of the foregoing for the

subjects mentioned in Schedule I.

(2) (a)The Union Legislature shall have power to authorise the application of revenues of the Union for the general welfare of the Union.

(b) The expression "Revenues of the Union" includes all revenues and public moneys raised or received by the Union.

(3) All the residuary powers not exclusively vested in or exercisable by the Union Legislature by or under this Constitution may continue to be exercised by the States; but when the law of the Union the latter shall prevail and the laws shall to the extent of the inconsistency be invalid and have no affect.

(4) A Bill assented to by a majority in each House shall become law on being signed by the President.

Provided that a money bill assented to by the People's House, and rejected by the State's House, or assented to by the State's House with amendments which are rejected by the People's House, or not assented to by the State's House within three months of its receipt by the State's House, or again being assented to by the People's House without further amendment (excepting only such amendments as have been accepted by the State's House) and being signed by the President shall become law without being assented to by the State's House.

(5) For the purposes of this Article a money Bill is a Bill which is certified by theChief Justice of India for the time being to be a Bill which contains provisions dealing with all or any of the following subjects, namely -

(a) The imposition, repeal, remission, alteration or regulation of taxation;

(b) The raising or guarantee of any Union Loan or the repayment thereof;

(c) The expenditure of money raised by the Union or over which it has a right to expend.

Article XXXI: Defence

(1) The command of the armed forces of the Union shall be vested in the President.

(2) From such date as may be fixed by the Union Legislature, the armed forces of the States, or such of them as may be indicated by the Union Legislature, shall be transferred to the President and shall become part of the armed forces of the Union. Within twelve months of that date, armed forces of any State not so transferred shall be disbanded and, subject to this Constitution, no State or authority or person shall establish or maintain armed forces within the Union; provided that a State may authorise the establishment or maintenance of such police forces as may be necessary for the maintenance of order within its own boundaries.

(3) From the establishment of the Union no arms, ammunitions, military equipment or other implements of war shall be manufactured in or imported into the Union except under the licence of the President.

(4) The President, shall, at the request of the Head of a State, authorise the armed forces of the Union to assist the State authority in the enforcement of the laws of the State and the maintenance of order in the State.

(5) In section 2 of this Article "Armed Forces" include the arms, equipment, munitions and other implements of war, and the land and buildings use for defence purposes.

(6) Laws of any State which, in the opinion of the Council of Ministers, are inconsistent with this Article may be disallowed by the President.

Article XXXII: External Relations

(1) The conduct of relations between the Union and States not members of the Union shall be vested exclusively in the President.

(2) The Union Legislature shall have power to enact such laws as may be necessary to give effect to a treaty or arrangement with one or more States not members of the Union or any other international agreement.

(3) Section (2) shall apply to a treaty or other arrangment made with a State not a member of the Union before the proclamation of the Union and not within the exclusive competence of the Union Legislature.

(4) In the exercise of powers under this Article, the Union shall not by law or administrative act preference to one State or any part thereof.

Article XXXIII: Communications

(1) The executive authority of the Union in respect of ~~xxxx~~ declaration, delimitation, acquisition, regulation, construction, maintenance and operation of communications may be exercised by such Union authority or authorities as may be determined by the law of the Union.

(2) The authorities established under Clause (1) shall when so required to do act on business principles due regard being had by them to the interests of the general public and the Union as a whole and shall be guided by such instructions on questions of policy as may be given to them by the Union Executive.

(3) (a) All airways and highways and major waterways in India shall vest in the Union.

(b) A highway and major waterway shall respectively include all roads and waterways declared as such by the Union Legislature or passing through more than one State through a Union Area and a State.

Article XXXIVA Finance

(1) The Union Legislature shall by Finance Acts, exercise the power of imposition, repeal, remission alternation and regulation of taxation and the raising or guarantee of loans and the repayment thereof.

(2) All debts and liabilities of the Union shall be charged upon the revenues of the Union and every part thereof.

(3) Out of the revenues of the Union, the Union Legislature may grant to a State for its purposes sugh grants or loans as it may fix on such conditions as it may deem proper.

(4) Any taxes, duties, cesses or fees which immediately before the Proclamation of the Union were lawfully levied by the Government of India or any of the Provinces of Indian States, Municipality, or local authority or body for its own purpose may continue to be levied by the States and to be applied to the same purposes until

provision to the contrary is made by the Union Legislature in the exercise of its legislative power or by the legislature of the State concerned as the case may be.

(5) As soon as may be after the election of the first Union Legislature, a Taxation Committee shall be appointed to report to the President on the sources of revenue with a view to enable the Union Legislature to raise the finances necessary and proper for the discharge of its powers, duties and functions and for the exercise of its rights, authority, and jurisdiction under and by virtue of this Constitution.

(6) The States by their representatives will be entitled to be heard before the Commission before the report is submitted.

(7) There shall be a Reserve Bank of India.

(8) The Constitution and functions of the Reserve Bank of India shall continue to be the same as at the date of the proclamation of the Union till the same are altered by the Union Legislature.

(9) No Bill or amendment which affects the coinage or currency of the Union or the Constitution or functions of the Reserve Bank of India shall be introduced or moved in either Chamber of the Legislature without the previous sanction of the President in Council.

(10) Property vested in the Union for the purpose of the Union shall save in so far as the Union by law may otherwise provide, be exempt from all taxes imposed by or by any authority within a State.

(11) Property vested in a State for the purpose of the State shall, save in so far as the State

by law may otherwise provide, be exempt from all taxes imposed by or by any authority of the Union.

Article XXXV: Area, Property, Contracts and Suits

(1) All areas, lands and buildings and all properties of whatsoever nature situated within or without the territories of the Union and vested in His Brittanic Majesty or held for him at the Proclamation of the Union for the purposes of the Government of India and all air spaces superincumbent on all parts of the territories of the Union and the territorial waters adjacent thereto shall vest in the Union.

(2) The Union Legislature by law has the power to declare, delimit and acquire all areas, lands, buildings and properties in such manner as in the opinion of the Legislature is necessary and proper for the discharge of its objects, powers, duties and for the exercise of the rights, authority and jurisdiction of the Union under or by virtue of this Constitution subject to the payment of adequate comepnsation to the person entitled, determined on principles fixed by the law or by mutual agreement.

(3) The Union Legislature can make laws in respect of all matters in the Union areas.

(4) The executive authority of the Union subject to any law of the Union shall extend to declaring delimiting, acquiring or disposing of or dealing with any area and lands, buildings or property vested in the President or which may hereafter come to be vested in the President.

Provided that no land and building used as Official residence by the President or the Chief Justice of India shall be sold nor any change made in the purpose thereof without the concurrence of the President or the Chief Justice of India as the case may be.

(5) In this article property includes money, securities, bank balances, credits and movable property of any description whatsoever.

(5A) All areas, lands, buildings and all property of whatsoever vested in His Brittanic Majesty for the purposes of a Province or in a Ruler of an Indian State for the purposes of the State shall vest in the Head of the corresponding State under this Constitution.

(6) Any question which may arise within the five years next following Proclamation of the Union as to purposes for which any areas, lands, buildings, property, funds and credits are by this article vested in the President or the Head of any particular State may be determined by the President in Council.

(7) Neither the President nor the Head of a State, shall be personally liable in respect of any contract of assurance made or executed for the purpose of the Union or the State as the case may be, or for the purposes of the Act of 1935 or any Act repealed thereby nor shall any person making or executing any such contract or assurance on behalf of them to personally liable in respect thereof.

(8) As from the date of the Proclamation of the Union and until otherwise provided for by the law of the Union all suits by or against the Union all suits by or against the Union or a State shall be filed or defended in the name of the Union or the State as the case may be as provided by the law of the Union.

Article XXXVI: Grave Emergency

(1) When in the opinion of the Union Legislature or, when it is not in session, in the opinion of the President, a state of things exist in which national security the economic stability the Constitution or the general life in the territories of the Union or any part thereof is threatened, the Legislature or the President as the case may be, may be a notification declare a state of grave emergency.

(2) On the declaration of a grave emergency the Union Legislature or the President in Council, as the case may be, shall have the powers, authority and jurisdiction to make laws or issue decrees in respect of all such subjects as in the opinion of the Legislature or the President in Council, as the case may be, are necessary and proper to meet the emergency and subject to such laws and decrees the President shall have the power to take all necessary action to meet the said emergency.

(3) A state of grave emergency declared by the Union Legislature or the President as the case may be, shall come to an end respectively within six months or three months from the date of such declaration unless the period is extended from time to time by the law of the Union.

Article XXXVII: Disallowance of State Legislation

(1) Where under this Constitution, the President has a power to disallow State Legislation, he shall have power also to disallow administrative acts of the same character; and such power may be exercised within a period of three months from the enactment of the Legislation or the coming into operation of the administrative act. Any such disallowance shall be notified by the President by Proclamation, and the legislation or administrative act shall from the date of the proclamation, cease to be law or to be valid and binding.

(2) Without prejudice to other powers set out in this Constitution, the President shall have power to disallow any law of a federated State which, in the opinion of the Council of Ministers:

(a) tends to interfere with the rights and duties vested or imposed by this Constitution;

(b) tends to interfere with the freedom of elections to the Chambers of the Union Legislature;

(c) tends to prevent the formation or constitutional operation of political parties having federal objects; or

(d) is likely to require the performance by the Union of its obligations under this Constitution.

CHAPTER V

UION JUDICIARY

Article XXXVIII: The Supreme Court

(1) There shall be a Supreme Court of India which shall have original and exclusive jurisdiction in -

(a) All cases arising under this Constitution, and treaties made or which shall be made, under its authority;

(b) All cases affecting ambassadors, consuls, and ministers of the Union or a State;

(c) All cases in which the Union is a party;

(d) All disputes between any two or more States;

(e) All disputes between a State or States and the Union;

(f) Admiralty matters, prize and piracy; and

(g) Such other matters within the competence for the time being of the Union Legislature as that Legislature may prescribe.

(2) The Supreme Court shall have original jurisdiction in -

(a) all matters where a Writ of right or of the Constitution has been issued by any of its judge;

(b) all matters transferred to it under a law of the Union Legislature;

(c) all matters referred to it under a law of the Union Legislature;

(d) all cases between a State and A citizen of another State;

(e) all cases between citizens of different States;

(f) all cases between citizens of the same State claiming under the law of another State;

(g) all cases between a State or a Citizen or citizens thereof and foreign States, citizens or subjects; and

(h) all cases in which either the cause of

action arose or the Defendant resides or carries on business in any Union area.

(3) The Supreme Court shall have the power to refer any case or matter or class of cases or matters under section (2) of this Article for disposal to such inferior Courts of the Union which it thinks proper class of cases or matters from an inferior court of the Union or any Court of a State for disposal by itself or another Union Court.

(4) The Supreme Court shall have final appellate jurisdiction over all the courts within the territories of the Union in respect of -

(a) all cases involving an amount not less than Rs.10,000/-;

(b) all matters involving a question of law or one certified by the High Court of a State to be of general importance.

(c) all matters decided by the inferior courts of the Union on a question of law;

(d) all matters involving the consideration of any right and duty under the Constitution or the interpretation thereof or a matter decided on proceedings initiated by the Writs of Right or of Constitution;

(e) all cases in which a Union Law or a law of a State other than the State in the Court of which the proceedings are pending is considered, construed or applied; and

(f) all cases between citizens of different States;

(g) all cases between a State or a Citizen

(g) all cases, whether civil or criminal, where there has been miscarriage of justice.

(5) (A) The Supreme Court shall have exclusive power to create such jurisdiction as it thinks fit for the administration of the laws of the Union and adjudication on such other matters as may be within the competence of the Supreme Court under this Constitution.

(B) The Judges of the Union Courts shall be appointed by the President on the recommendation of the Chief Justice of India.

(C) The pay, pension and leave of the Judges of the Union Courts shall be fixed from time to time by law by the Union Legislature on the recommendation of the Supreme Court.

(D) The Supreme Court will have general powers of superintendence over all the Union Courts.

(6) The Union Legislature shall have exclusive power to make laws for the exercise of jurisdiction under this Article by the Supreme Court and Union Courts and for the determination of any questions arising under or by virtue of the Constitution or an interpretation thereof or the issue of Writs of Right and Constitution.

Article XXXIX: <u>High Courts as Union Courts.</u>

(1) The High Court of a State and any of its inferior Courts which the Supreme Court may deem fit may be vested with the powers of the appropriate Union Courts where the State Legislature by Law prescribes that the Chief Justice and Judges of the High Court of the State shall be appointed only with the concurrence of the Chief Justice of India and that the Supreme Court shall have general powers of superintendence over such High Court in matters

within the competence of the Supreme Court and that the provisions in sub-sections 1,2, and 4 of Article XL shall apply to its Judges, and such High Court or inferior Courts shall be, for the time being, a Union Court within the meaning of the Constitution and the laws made thereunder.

Provided that on being satisfied that the provisions of this Clause are not being satisfactorily observed, the Chief Justice of India may withdraw the recognition of any such High Court or any of its inferior Court as a Union Court.

Article XL: Judges of the Supreme Court.

(1) A Judge of the Supreme Court shall hold office for life.

Provided that -

(a) The Union Legislature shall have power to make laws fixing an age for the retirement of Judges;

(b) A Judge may resign on giving notice in writing to the President who shall communicate it to the Chief Justice and other Judges of the Supreme Court;

(2) The salary of the Chief Justice of India, a Judge of the Supreme Court or any inferior Union Court and his right to leave and pension, shall be fixed by the Union Legislature but shall not be diminished during his tensure of office.

(3) The Chief Justice of India shall hold office until he ceases to be a Judge of the Supreme Court or resign the office.

(4) (a) A Judge of the Supreme Court may be removed by the President only on the ground of judicial misconduct or physical incapacity held or proved

b

by a tribunal appointed by the President in Council on the recommendations of both the Houses.

(b) The Tribunal shall consist of five members selected by the President in Council from among the Judges or ex-judges of the Supreme Court and shall be presided over by the Chief Justice of India.

CHAPTER VI

THE UNION AND INTER-STATE RELATIONS

Article XLI: Relation between States.

(1) A State may make treaties or otherwise contract obligations with any other State in relation to matters which are within its exclusive competence, but such treaties or arrangements shall be no effect unless they are signed by the President, and by the Heads of the States concerned.

(2) The Union Legislature shall have power to make laws to give effect to the treaty or other arrangement or any part of it.

(3) The laws in respect of subjects falling within the exclusive competence of a State but which are in force in more than one State at the date of the proclamation of the Union shall continue to remain in force until they are repealed by the Union Legislature or until they are declared by the Union Legislature to be inconsistent with this Constitution.

(4) All States and their Courts shall give full faith and credit to the public acts, records and judicial proceedings of each State.

Article XLII: Inter-State Commerce

(1) Subject to the law of the Union as regards inter-State commerce, trade and commerce shall be

free throughout the territories of the Union.

(2) Any law of ~~the~~ a State restricting commerce between the States shall as from the Proclamation of the Union cease to have effect; and if any such law is passed by the Legislature of a State thereafter, the President may disallow the same.

Article XLIII: Inter-State Co-operation

(1) If at any time or from time to time it appears to the Union Legislature that the interest of the Union as a whole or one or more States would be served by the establishment of a Council of co-operation between the Union and one or more States or between some or all of the States it shall be competent for the Union Legislature to establish such a Council to define the nature of the duties to be performed by it and to prescribe its organisation and procedure.

Article XLIV: Concurrent Legislative Powers

CHAPTER VII

EXCLUDED AREAS

Article XLV

(1) Excluded Areas shall mean all territories of the Union not included in the States or any part of the territories in a State which is backward or tribal and requires special care for the well-being and development of its people. The first Excluded Areas are described in the Schedule C.

(2) There shall be established an Excluded Area Commission to exercise the functions conferred upon it by this Constitution and by the Law of the Union Legislature.

(3) (a) The Excluded Area Commission shall consist of such number of persons having, subject to this Article, such qualifications as may be provided by the Union by law.

(b) Members of the Commission shall be appointed by the President on the nomination of the two Houses of the Union Legislature, acting by Joint resolution, and who shall not be members of either House of the Union Legislature or a State Legislature nor hold any other office of profit in the Union or in any State.

(c) Each member shall hold office for five years, but may be reappointed, and may be removed by the President if a resolution to that effect is passed by both Houses of the Union Legislature. He shall have such salary as may be prescribed by the law of the Union but it may not be reduced during his term of office.

(4) Where any agreement is entered into with any State, the Union Legislature may by law provide for the transfer to a State of any rights on such terms as it may think proper which the Union exercises in any excluded area but no inhabitant of the Excluded Area shall thereby lose his citizenship of the Union or any right incidental to such citizenship.

(5) Where rights are transferred to a State under section (4) of this Article the Union Legislature shall have concurrent power to make laws for the exercise of such rights.

(6) In sofar as the rights of the Union are transferred to a State under this Article, they shall be exercised subject to the following restrictions:

(a) They shall be exercised for the well-being and development of the people of the Excluded Area;

(b) The laws in force in the Excluded Area shall not discriminate between States or the citizens of States but shall apply to all citizens of the Union as they apply to the citizens of the State exercising such rights.

(c) Appointments to the Governmental service of the Excluded Area shall be open to all citizens of the Union.

(d) The State exercising such rights shall make an annual report to the Excluded Area Commission on the conditions of

Excluded Area.

(7) The President may disallow any law which is contrary to the provisions of this Article or a law of the Union made under section (2)thereof.
(8) Without prejudice to the generality of the powers of the Union, the Union Legislature shall have power, if the Excluded Area Commission so recommended, to make grants, on such conditions as may be prescribed by the Union to assist a State in the development of an Excluded Area.
(9) The Excluded Area Commission shall make an annual report and such other reports as may be deemed necessary to the President and such reports shall be laid before both Houses of the Union Legislature.

CHAPTER VIII

EXECUTION OF UNION POWERS

Article XLVI

(1) Every State and all authorities civil and judicial, within the territories of the Union shall be bound to place the whole of its machinery at the disposal of the President for carrying out the directions as may be issued by the appropriate authority thereof and in doing so shall be bound by the order of disallowance proclaimed by the President or by the law so declared by the Supreme Court in that behalf.
(2) A State or the High Court of a State, as the case may be, shall be bound to conform to, carryout or execute any direction of the President or any decree or order of the Supreme Court.

(3) In the event of the State or the High Court of a State, or any civil or judicial authority within the territories of the Union, as the case may be, failing to carry out the directions of the president or on its failing to conform, carry out or execute a direction, decree or Order issued by him or the Supreme Court, the President shall have power to cause such direction to be implemented or carry out or execute such decree or order.

CHAPTER IX

SERVICES

Article XLVII: Defence Services

(1) The pay and allowance of the Commander-in-Chief of the Union and other conditions of his servicex shall be fixed by the President in Council.

(2) (a) The President in Council may require that appointments of such offices connected with Defence as he may specify shall be made by him or in such manner as he may direct.

(b) Nothing in this section derogates from the power vested in the President by virtue of any Act or by virture of his power as the Head of the Union to execute its inherent powers.

Article XLVIII: Civil Service

(1) Every person who holds a civil post in the Union holds office during the President's pleasure.

(2) Every person holding a civil office in the Union or a State shall hold it subject to the same conditions of service as those on

which he held it under the Government of India or Province or State as the casemay be at the date of the Proclamation of the Union.

Article XLIX: Public Service Commission.

(1) There shall be a Public Service Commission for the Union and a Public Service Commission for one State or more than one State by agreement between them.

(2) The Union Public Service Commission may with the sanction of the President in Council agree to serve for any one or more of the States.

(3) The Chairman and members of the Union Public Service Commission shall be appointed by the President in his discretion.

(4) The powers, duties and functions of the Union Public Service Commission as regards recruitment, promotion and transfer of Officers of the Union to civil posts, the nature of such posts and disciplinary matters affecting such officers and their claims against the Union and such other fuctions as may from time to time be found necessary shall be prescribed by the law of the Union.

CHAPTER X

AMENDMENT

Article L

(1) Amendments to this Constitution may be moved in either House of the Union Legislature, and any such amendment shall take effect if it is supported by -

(a) at least two-third of the members voting in each House or a majority of the whole number of members of one House

and a majority of the other; and

(b) by a majority in the Legislature of a majority of the States.

Provided that the proportion of representation of a State in the State's House shall not diminished without the consent of the Legislature of that State, nor shall this Article be so amended as to enable the proportional representation of a State in the State's House to be diminished without the consent of the Legislature of that State.

CHAPTER XI

INDO-BRITISH TREATY

CHAPTER XII

TRANSITORY PROVISIONS